

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
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For Immediate Release

SOPHISTICATED UNDERGROUND MARIJUANA GROW FOUND NEAR SANTA YSABEL, CALIFORNIA

NEWS RELEASE SUMMARY - April 3, 2007

United States Attorney Karen P. Hewitt announced today that Damien Anthony Andrews, Anthony Martin Hillerby, and Sean Daniel Smith, were arraigned on separate but related felony complaints charging them with conspiracy to manufacture marijuana plants and manufacturing marijuana plants, in violation of Title 21, United States Code, Sections 841(a) and 846.

According to Assistant U.S. Attorney Sherri Walker Hobson, who is prosecuting the cases, Damien Anthony Andrews was arrested following the execution of a federal search warrant at his log cabin located on a 39-acre parcel in Santa Ysabel, California, on March 28, 2007. According to court documents, the Drug Enforcement Administration (“DEA”), the San Diego Narcotic Task Force (“NTF”), and the Internal Revenue Service, Criminal Investigation (“IRS”) found a sophisticated clandestine indoor marijuana cultivation operation consisting of 454 marijuana plants that was concealed underground, accessible by a

concealed closet elevator in a garage structure on the parcel. From the elevator shaft, there was a 4-foot wide, 65-foot tunnel that led to the large underground grow rooms with irrigation, lighting, electrical and ventilation systems. According to court documents, Andrews, who owns the 39 -acre parcel, had a sophisticated surveillance system with multiple cameras and monitors located in and around the property. Sean Smith, who was arraigned today before Magistrate Judge Louisa Porter following his arrest by the U.S. Marshal's Service, is charged with conspiring with Andrews to cultivate marijuana at that location. The DEA also filed a civil complaint for forfeiture related to the 39-acre parcel that belonged to Andrews.

According to court documents, Anthony Martin Hillerby was arrested on March 28, 2007, following the execution of a federal search warrant at his residence in Oceanview Terrace, Encinitas, where agents found approximately 233 marijuana plants. According to the management company, Damien Andrews was the renter of that location.

In addition to the criminal complaints, IRS agents also filed civil complaints for forfeitures against Andrews' residential properties located on Compass Road, Oceanside, California, and on Neptune Avenue in Encinitas, which is Andrews' primary residence. Andrews purchased the Neptune beach home for \$1.4 million in November 2006. The IRS forfeiture complaints allege that Damien Andrews' properties were involved in money laundering violations.

United States Attorney Hewitt said, "These sophisticated marijuana growing operations demonstrate the lengths to which drug traffickers will go to make their illicit profit. The arrests of those responsible and the steps taken to forfeit their properties establish our unwavering commitment to taking the profit out of their criminal conduct."

United States Attorney Hewitt praised the Organized Crime Drug Enforcement Task Force (OCDETF) for the coordinated team effort in the culmination of this investigation. Several local, state and federal law enforcement agencies assisted in this OCDETF investigation, including DEA, San Diego Narcotic Task Force, IRS, and the United States Marshal's Service. The OCDETF program was created to consolidate and utilize all law enforcement resources in this country's battle against major drug trafficking.

DEA Acting Special Agent in Charge Alan Poleszak said, “The sophisticated nature of this marijuana cultivation operation is further evidence of the lengths to which individuals will go in an effort to traffic drugs. As with cross-border drug tunnels our law enforcement successes above ground have forced drug traffickers underground in a desperate attempt to avoid detection. With literally millions of dollars at stake, drug traffickers are limited only by their imaginations, the strength of their resolve and the constant presence of law enforcement seeking to thwart their efforts.”

“Illicit drug manufacturing and drug trafficking generates huge amounts of illegal proceeds, usually in the form of laundered currency that must be concealed from law enforcement. The expertise and unique skills of IRS Special Agents are particularly useful in narcotic investigations. We will continue to be part of a very formidable team of law enforcement agencies whose mission is to expose these clandestine operations and eradicate their presence in our communities,” said Kenneth J. Hines, Special Agent in Charge, IRS Criminal Investigation, San Diego Field Office.

The next court appearance for Damien Andrews and Anthony Martin Hillerby will be on April 19, 2007, at 9:00 a.m., before United States Magistrate Judge Ruben B. Brooks. Sean Smith’s next court hearing is scheduled before United States Magistrate Judge Louisa Porter on April 5, 2007, at 10:30 a.m.

DEFENDANTS

Damien Anthony Andrews	Case Number: 07mj0711
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Anthony Martin Hillerby	Case Number: 07mj0712
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Sean Smith	Case Number: 07mj0747
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Civil Complaints for Forfeitures of Properties: 07cv0567, 07cv0569

SUMMARY OF CHARGES

Conspiracy to Manufacture Marijuana Plants (100 plants or more)

Title 21, United States Code, Sections 841(a)(1) and 846

Penalties: 5 year minimum mandatory to 40 years in custody; 4 years of supervised release, \$1,000,000 fine

Manufacturing Marijuana Plants/Aiding and Abetting (100 plants or more)

Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2

Penalties: 5 year minimum mandatory to 40 years in custody; 4 years of supervised release, \$1,000,000 fine

PARTICIPATING AGENCIES

Drug Enforcement Administration

San Diego Narcotics Task Force

Internal Revenue Service

United States Marshals Service

A complaint itself is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.